

Remarks

The specification has been amended such that the amino acid sequence for SEQ ID NO:16 now corresponds with the amino acid sequence of Figures 1 and 3B. The sequence as shown in Figure 1 (Deposit Number NRRL B-30293) is the same as Figure 3B (Deposit Number NRRL B-11474), as the two strains have identical sequences. SEQ ID NO:16 is a fragment of the feedback-resistant pyruvate carboxylase (SEQ ID NO:2 and SEQ ID NO:4). Support is found not only in Deposit Numbers NRRL B-30293 and NRRL B-11474, but also in the amino acid sequence of Figures 1 (SEQ ID NO:2) and 3B (SEQ ID NO:4). Therefore, the amendment is not new matter because the sequence of the fragment is the same as the amino acid sequence shown in Figures 1 and 3B.

Applicants have also submitted herewith a sequence listing. No new matter has been added. In accordance with 37 C.F.R. § 1.821(g), this submission includes no new matter. In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above application are the same.

Applicants have also submitted herewith a substitute Figure 2. Figure 2 is an amino acid sequence comparison of the wild-type pyruvate carboxylase (SEQ ID NO:19) and the feedback-resistant pyruvate carboxylase (SEQ ID NOs: 2 and 4). In the original figure, there is an "E" at position 1116 for NRRL-B11474. This "E" was inadvertently placed under the wrong "D." It should have been placed at position 1120. Substitute Figure 2 corrects this. Support for this change is found in the sequence as deposited in Deposit Numbers NRRL B-30293 and NRRL B-11474 and in the amino acid sequence of Figures 1 (SEQ ID NO:2) and 3 (SEQ ID NO:4),

which, although a different strain, shows the same feedback-resistant pyruvate carboxylase amino acid sequence. Therefore, the substitute Figure 2 is not new matter, as the sequence is the same as the amino acid sequence shown in Figures 1 and 3B.

Conclusion

The specification has been amended such that the amino acid sequence of SEQ ID NO:16 corresponds with the amino acid sequence of Figures 1 and 3B. In addition, a sequence listing and substitute Figure 2 has been submitted herewith. No new matter is believed to have been added by the amendment, sequence listing and substitute figure. It is respectfully believed that this application is now in condition for examination. Early notice to this effect is respectfully requested.

Respectfully submitted,

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Version with markings to show changes made

The paragraph beginning on page 13, paragraph [0041], was amended as follows:

Accordingly, SEQ ID NO:6 corresponds to the amino acid sequence:
PSKNIDDIVKSAE. SEQ IN NO:8 corresponds to the amino acid sequence:
RGMRFVSSPDELR. SEQ ID NO:10 corresponds to the amino acid sequence:
AAFGDGSVYVERA. SEQ ID NO:12 corresponds to the amino acid sequence:
VQILGDRTGEVVH. SEQ ID NO:14 corresponds to the amino acid sequence:
IATGFIGDHPHLL. SEQ ID NO:16 corresponds to the amino acid sequence:
TITASV[E]DGKI[D]ERV. SEQ ID NO:18 corresponds to the amino acid sequence:
MTAITLGGLLLKGIIITLV.